

REMARKS

The below-named representatives and Robert Benson, representative of the assignee of the entire interest, thank the Examiner for the courtesy of an in-person interview conducted on December 16, 2005. The present response addresses substantive points discussed during the interview. Specifically, the limitations of claims 1 and 104 were discussed. Agreement was reached on potential amendments to the claims, as discussed herein. Accordingly, the present response is believed to constitute a complete written statement of the reasons presented in the interview as warranting favorable action, as required by 37 C.F.R. §1.133.

Claims 1 and 104 have been amended to recite that “an article for detecting an analyte by allowing the analyte to bind to a reaction entity selected to interact with the analyte,” and “whereby the detectable change in the property of the nanowire can be determined to detect the analyte.” Support for these amendments can be found in the specification, for example, on page 8, lines 6-24. Accordingly, no new matter has been added.

Claims 1, 2, 104, and 105 are now pending for examination with claims 3-102 remaining withdrawn.

Rejections under 35 U.S.C. §102(b)

The Patent Office rejected claims 1, 2, 104, and 105 under 35 U.S.C. §102(b) as being anticipated by Lynch, *et al.*, U.S. Patent No. 5,539,214 (“Lynch”).

In Lynch, although the nanowires are described as a “chemical sensor” (col. 3, line 50), it is not seen where in Lynch is there a disclosure or a suggestion of a chemical or biological reaction entity positioned relative to the nanowire, nor is it seen where in Lynch is there a disclosure or a suggestion of an article for detecting an analyte by allowing the analyte to bind to a reaction entity selected to interact with the analyte. Accordingly, it is believed that claims 1, 2, 104, and 105, as amended, each distinguish Lynch for at least the above-described reasons, and it is therefore respectfully requested that the rejection be withdrawn.

CONCLUSION

In view of the foregoing remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. The Examiner is requested to call the

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undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,

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